

**CPC & SEEC Forum: Oil Is the New Tobacco**  
**6/22/16**  
**Testimony of Kathy Mulvey, Union of Concerned Scientists**

Good afternoon and thank you for the opportunity to speak on the topic of fossil fuel industry deception. My name is Kathy Mulvey and I am the Climate Accountability Campaign Manager for the Union of Concerned Scientists (UCS).

For over a decade, UCS has been working to promote scientific integrity in government, to protect targeted scientists, to strengthen science-based public protections, and to push back against misinformation. During that same time period, UCS has been actively involved in bringing to light information about a calculated disinformation campaign by the major fossil fuel companies designed to mislead the public about climate science and block climate action.

UCS is working to persuade fossil fuel companies to:

- Stop disseminating misinformation about climate change
- Support fair and cost-effective policies to reduce global warming emissions.
- Fully disclose the financial and physical risks of climate change to their business operations.
- Align their business models with a carbon-constrained world consistent with keeping warming well below a 2°C increase above pre-industrial levels, as agreed by world leaders.
- Pay for their share of the costs of climate-related damages and climate change adaptation.

Internal documents show that some of the world's largest fossil fuel companies have worked behind the scenes for years to deceive the public about the reality of global warming—long after they knew the truth about climate science and the harm their products were causing to the planet. The deception continues today.

In 2007, UCS published a report ([Smoke, Mirrors and Hot Air: How ExxonMobil Uses Big Tobacco's Tactics to Manufacture Uncertainty on Climate Science](#)) revealing that, between 1998 and 2005, ExxonMobil funneled nearly \$16 million to a network of some 40 front groups to disseminate misinformation about climate science.

Among the items covered in that report—and published as an appendix—was a 1998 internal memo we have come to refer to as “the roadmap memo” outlining the fossil fuel industry’s plan to use scientists as spokespersons for the industry’s views. The memo was written by a team convened by the American Petroleum Institute, the country’s largest oil trade association whose member companies include BP, ConocoPhillips, Chevron, ExxonMobil, and Shell. The innocuously titled “Global Climate Science Communications Plan,” written with the direct involvement of fossil fuel companies including ExxonMobil (then Exxon) and Chevron, details a plan for dealing with climate change that explicitly aimed to confuse and misinform the public.

**The API team's 1998 memo mapped out a multifaceted deception strategy for the fossil fuel industry that continues to this day**—outlining plans to reach the media, the public, and policy makers with a message emphasizing “uncertainties” in climate science. According to the memo, “victory” would be achieved for the campaign when “average citizens” and the media were convinced of “uncertainties” in climate science despite overwhelming evidence of the impact of human-caused global warming and nearly unanimous agreement about it in the scientific community. The timing of this document—1998—is important to note, as an earlier internal memo from 1995 shows that Mobil's own climate scientist had informed the industry in the strongest possible way that global warming was undeniable, and company scientists had warned of the dangers far earlier than that.

In July 2015, UCS published [The Climate Deception Dossiers: Internal Fossil Fuel Industry Memos Reveal Decades of Corporate Disinformation](#), detailing the decades of climate disinformation disseminated by leading fossil fuel companies, trade associations, and industry-funded lobbying groups such as the American Legislative Exchange Council (ALEC). Along with the publication of this report, UCS released a curated collection of seven “deception dossiers” containing some 85 previously released internal memos from fossil fuel companies and their surrogates totaling more than 330 pages. The dossiers unmistakably show that:

- ExxonMobil and other fossil fuel companies were fully aware of the grave dangers their products were posing to the earth's climate by as early as 1981.
- Internal scientists at Exxon, Mobil, and other fossil fuel companies alerted the highest levels of management at the companies of the seriousness of the problems caused by unchecked carbon emissions from the burning of the gas, oil, and coal that they sold.
- And yet, during this period since the 1980s—when more than half of all the carbon emissions since the industrial revolution have been released—ExxonMobil and other major fossil fuel companies spent millions of dollars to deceive the public and their shareholders about the impact of the products they sold, and colluded with third parties to disseminate disinformation and block action to combat climate change.

It is important to note that ExxonMobil and other major fossil fuel companies [continue to spend](#) millions of dollars annually on denier groups and on the political campaigns of Congressional climate science deniers.

Some of the very latest evidence that the climate disinformation campaign continues has emerged from **the bankruptcy filings of three of the largest US coal companies. Most recently, in the filings of Peabody Energy**, the list of creditors includes:

- Dozens of known climate denial front groups;
- Key climate denial researchers who rarely if ever acknowledge that their research is funded by the major fossil fuel companies; and, notably,

- The name of Arthur (Randy) Randol, the lead author of the 1998 roadmap memo mentioned earlier that outlines the disinformation strategy.

Even as funding has become significantly less transparent in the post-Citizens United environment with the increasing use of so-called “dark money” funding of third parties, the list of Peabody Energy creditors offers the latest hard evidence that an active disinformation campaign continues today.

Like the tobacco companies before them, major fossil fuel companies are fighting back against efforts to hold them accountable—including by cloaking themselves in the mantle of the First Amendment. ExxonMobil has even filed a complaint asking a federal court in Fort Worth, Texas, to throw out Massachusetts Attorney General Maura Healey’s demand for documents as part of her investigation into whether the company deceived its shareholders and the public about the threat of climate change.

Fortunately, our courts have rejected the argument that corporate deception is protected speech—including in tobacco cases. I myself worked for more than 15 years to hold tobacco corporations accountable for the harm caused by their deceptive marketing and promotion of a deadly product. Based on my experience, I have no doubt that the dramatic public health progress achieved in recent decades was impossible until the public, our policy makers, and our justice system took action to prevent the tobacco companies’ disinformation and fraudulent business practices.

Many of us remember the iconic image of tobacco executives denying that their product was addictive in testimony before Congress in 1994. May today’s forum be a defining moment in elevating Congressional and public scrutiny of fossil fuel industry deception, and in ramping up the pressure on companies like ExxonMobil to take responsibility for their role in climate change and put a stop to climate disinformation.